

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

LIMELIGHT NETWORKS, INC.,

Plaintiff and Counterclaim
Defendant,

v.

XO COMMUNICATIONS, LLC.,

Defendant,

AKAMAI TECHNOLOGIES, INC.,

Defendant and Counterclaim
Plaintiff,

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Counterclaim Plaintiff.

Case No. 3:15cv720-JAG

JURY TRIAL DEMANDED

**LIMELIGHT NETWORKS, INC.’S RESPONSIVE LIST OF
WITNESSES TO BE CALLED AT TRIAL**

Pursuant to Rule 26(a)(3)(A) of the Federal Rules of Civil Procedure and Paragraph 13 of the Scheduling Order (D.I. 55), Plaintiff Limelight Networks, Inc. (“Limelight”) hereby identifies the following responsive list of fact and expert witnesses that Limelight expects to call or may call (live or by deposition designation) at trial in response to Defendant and Counterclaim Plaintiff Akamai Technologies, Inc.’s (“Akamai’s”) initial list of witnesses to be called at trial (D.I. 265), filed on November 30, 2016. Limelight identifies this responsive list of witnesses as a *supplement to and in addition to* the initial list of witnesses Limelight identified in its Witnesses to be Called at Trial (D.I. 267), filed on November 30, 2016, and which Limelight incorporates

below. Limelight reserves the right to call and/or subpoena any witnesses Akamai, Massachusetts Institute of Technology (“MIT”), and/or XO Communications, LLC (“XO”) call to testify live at the trial, including those designated in its initial and rebuttal lists, or to cross-examine such witnesses beyond the scope of the direct, as if Limelight had called them to testify in its case-in-chief. Limelight further reserves the right to call live at trial or to rely on the deposition testimony of any Akamai, MIT, or XO witness who has not yet been deposed. Further, Limelight objects to Akamai’s designation of Akamai personnel as “may call” or “expects to call” witnesses in excess of the ten (10) depositions permitted by the Court’s Pretrial Order (D.I. 55).

Limelight reserves the right to use, or not use, any of the witnesses identified herein and in its initial list of witnesses at its discretion. Limelight also reserves the right to modify, supplement, or amend this list of witnesses to be called at trial in response to Akamai’s witness lists, based on subsequent events, or as otherwise appropriate to the extent permitted by the Federal Rules of Civil Procedure, the Local Rules of the Eastern District of Virginia, or by any Order of this Court. Pursuant to the Scheduling Orders (D.I. 55, D.I. 247), the parties will follow a separate procedure for exchange of objections, including Limelight’s general objections to Akamai’s initial and responsive trial witness lists.

Limelight Fact Witnesses Limelight Expects to Call Live:

Jason Hofmann

Jacob Roersma

George Vonderhaar

Limelight Expert Witnesses Limelight Expects to Call Live:

Dr. Kevin Almeroth

Dr. Michael Freedman

Dr. Stephen Prowse

Akamai Fact Witnesses Limelight Expects to Call Live:

Christopher R. Knox

Frank Thomson Leighton

Akamai Fact Witnesses Limelight May Present By Deposition, or May Call Live:

Craig S. Adams

David S. Belson

Nicholas Brookins

Neil L. Cohen

Craig Conboy

Cheng Jin

Alan W. Johnson

Patrick M. Larkin

Todd Andrew Lawrence

Philip Lisiecki

Brian Mancuso

Joshua Matt

Third Party Witnesses Limelight Expects to Call Live:

Michael M. Gordon

Third Party Witnesses Limelight May Present By Deposition:

Joseph DePalo

Josef Kloninger

Date: December 7, 2016

Respectfully submitted,

/s/ Natasha M. Saputo

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Steven Cherensky (CA Bar No. 168275) (*pro hac vice*)
Paul T. Ehrlich (CA Bar No. 228543) (*pro hac vice*)
Azra Hadzimehmedovic (CA Bar No. 239088) (*pro hac vice*)
William P. Nelson (CA Bar No. 196091) (*pro hac vice*)
Aaron M. Nathan (CA Bar. No. 251316) (*pro hac vice*)
Robert L. Gerrity (CA Bar No. 268084) (*pro hac vice*)
Natasha M. Saputo (VA Bar No. 80893)
Lital Leichtag-Fuks (CA Bar No. 295080) (*pro hac vice*)
Yi Chen (CA Bar No. 295236) (*pro hac vice*)
Jae Shin (CA Bar No. 294599) (*pro hac vice*)
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*Attorneys for Plaintiff and Counterclaim
Defendant Limelight Networks, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on the 7th day of December, 2016, a true copy of the foregoing will be electronically filed with the Clerk of Court using the CM/ECF system.

/s/ *Natasha M. Saputo*
Natasha M. Saputo